REMARKS

Summary of the Office Action

Claims 1-3 and 10-23 stand rejected under 35 U.S.C. § 102(e) as allegedly being anticipated by Sato (U.S. Patent No. 6,914,691).

Claim 4 stands rejected under 35 U.S.C. § 103(a) as allegedly being unpatentable over Sato.

Claim 5 stands rejected under 35 U.S.C. § 103(a) as allegedly being unpatentable over Sato in view of Microsoft Windows NT/95/98.

Claims 6-8 stand rejected under 35 U.S.C. § 103(a) as allegedly being unpatentable over Sato in view of Kadowaki (U.S. Patent No. 6,813,038).

Claim 9 stands rejected under 35 U.S.C. § 103(a) as allegedly being unpatentable over Sato in view of Takaoka (U.S. Patent No. 6,137,905).

Summary of the Response to the Office Action

Applicants have amended independent claims 2, 9, and 19-22, and dependent claims 3, 10-12, 16 and 18. Also, Applicants have cancelled independent claim 1 and dependent claim 23. Applicants have added claims 24-25 to further define the invention. Accordingly, claims 2-22 and 24-25 are presently pending.

The Rejection of Claims 1-23

Claims 1-3 and 10-23 stand rejected under 35 U.S.C. §102(e) as allegedly being anticipated by Sato (U.S. Patent No. 6,914,691). Claim 4 stands rejected under 35 U.S.C. § 103(a) as allegedly being unpatentable over Sato. Claim 5 stands rejected under 35 U.S.C. §

103(a) as allegedly being unpatentable over Sato in view of Microsoft Windows NT/95/98. Claims 6-8 stand rejected under 35 U.S.C. § 103(a) as allegedly being unpatentable over Sato in view of Kadowaki (U.S. Patent No. 6,813,038). Claim 9 stands rejected under 35 U.S.C. § 103(a) as allegedly being unpatentable over Sato in view of Takaoka (U.S. Patent No. 6,137,905). Applicants respectfully traverse the rejection at least for the following reasons.

With respect to independent claim 2, as amended, Applicants respectfully submit that Sato fails to teach or suggest a combination comprising recognition unit that recognizes whether the specific image exists in the input image data and a determination unit that determines whether the input image data includes a predetermined characteristic and controls the recognition unit not to recognize the specific image if the predetermined characteristic is not included in the input image data. The Office Action suggests that Figure 3, Element 104, of Sato discloses a "determination unit," as claimed. Applicants respectfully disagree. Here, the cited portions of Sato refer to the CPU and the detecting circuit. Thus, Applicants respectfully assert that Sato only discloses a central processing unit that governs the entire print controller and a detecting circuit that *automatically* begins "detection processing" following raster image processing (*See* Col. 7, lines 27-30), but lacks any teaching of a determination unit that determines whether the input image data includes a predetermined characteristic and controls the recognition unit not to recognize the specific image if the predetermined characteristic is not included in the input image data. Accordingly, Applicants respectfully submit that Sato would suffer from problems similar to those of the related art discussed at pages 1-3 of the present application.

Accordingly, Applicants respectfully assert that independent claim 2, as amended, is allowable. Moreover, Applicants respectfully submit that independent claim 9 and 19-22 are allowable for reasons similar to those of independent claim 2, as amended.

Applicants respectfully assert that the rejection of independent claims 2 and 19-22 and dependent claims 3 and 10-18 under 35 U.S.C. § 102 should be withdrawn because Sato fails to teach or suggest each feature of independent claims 2 and 19-22, and accordingly, dependent claims 3 and 10-18. As pointed out in MPEP § 2131, "[t]o anticipate a claim, the reference must teach every element of the claim." Thus, "[a] claim is anticipated only if each and every element as set forth in the claim is found, either expressly or inherently described, in a single prior art reference. Verdegaal Bros. v. Union Oil Co. of California, 2 USPQ 2d 1051, 1053 (Fed. Cir. 1987)."

Furthermore, Applicants respectfully assert that the rejection of independent claim 9 and dependent claims 4-8 under 35 U.S.C. § 103 should be withdrawn because Sato fails to teach or suggest each feature of independent claims 2 and 9, and accordingly, dependent claims 4-8. As pointed out in MPEP § 2143.03, "[t]o establish prima facie obviousness of a claimed invention, all the claim limitations must be taught or suggested by the prior art." In re Royka, 409 F.2d 981, 180 USPQ 580 (CCPA 1974). Therefore, Applicants respectfully assert that independent claim 9 and dependent claims 4-8 be allowed.

CONCLUSION

In view of the foregoing, Applicants respectfully request reconsideration and the timely allowance of the pending claims. Should the Examiner feel that there are any issues outstanding

after consideration of this response, the Examiner is invited to contact the Applicants' undersigned representative to expedite prosecution.

If there are any other fees due in connection with the filing of this paper, please charge the fees to our Deposit Account No. 50-0310. If a fee is required for an extension of time under 37 C.F.R. § 1.136 not accounted for above, such an extension is requested and the fee should also be charged to our Deposit Account.

Respectfully Submitted,

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